

## Message Text

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PAGE 01 USBERL 01141 122154Z  
ACTION EUR-12

INFO OCT-01 ISO-00 MCT-01 SY-05 CIAE-00 DODE-00 PM-05  
H-02 INR-10 L-03 NSAE-00 NSC-05 PA-02 SP-02  
SS-15 ICA-20 IO-14 /097 W  
-----087445 131836Z /43

R 121520Z MAY 78  
FM USMISSION USBERLIN  
TO SECSTATE WASHDC 6828  
AMEMBASSY BONN  
INFO AMEMBASSY BERLIN  
AMEMBASSY LONDON  
AMEMBASSY MOSCOW  
AMEMBASSY PARIS  
USMISSION USNATO  
AMCONSUL BREMEN  
AMCONSUL DUSSELDORF  
AMCONSUL FRANKFURT  
AMCONSUL HAMBURG  
AMCONSUL MUNICH  
AMCONSUL STUTTGART

UNCLAS USBERLIN 1141

E O 11652: NA  
TAGS: PGOV BQG AKB  
SUBJ: TRIAL OF 2 JUNE MOVEMENT TERRORISTS: FIFTH WEEK

REFS: (A) USBERLIN 1092, (B) USBERLIN 977, (C) USBERLIN 917,  
(NOTAL), (D) USBERLIN 881

SUMMARY: DILATORY PROCEDURAL DEBATES AND DEFENDANTS' ANTICS CONTINUED. THE TRIAL MADE NO REAL PROGRESS. END SUMMARY.

1. ONLY ONE SESSION, THE NINTH (ON 9 MAY), WAS HELD DURING THE FIFTH WEEK OF THE TRIAL. PROCEDURAL QUESTIONS AND MOTIONS DOMINATED THE DAY.

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2. THE FIRST MOTION OF THE DAY SOUGHT, ONCE AGAIN, THE EXCLUSION OF THE PRESIDING JUDGE FROM THE TRIAL ON GROUNDS OF BEING BIASED; IT WAS DENIED. THE SECOND MOTION REQUESTED THAT EGBERT WEISS, ONE OF THE ASSOCIATE JUDGES, BE EXCLUDED ON GROUNDS OF BEING BIASED. DEFENSE COUNSEL BECKER PRODUCED A NINE-PAGE MANUSCRIPT TO DEMONSTRATE THAT WEISS, IN 1968, HAD

NOT ONLY CONTRIBUTED TO THE ACQUITTAL OF REHSE, A NATIONAL-SOCIALIST JUDGE AND MEMBER OF THE "VOLKSGERICHTSHOF" FROM 1941 TO 1945, BUT HAD ALSO DEFENDED THE VERDICT IN PUBLIC. OBVIOUSLY INSPIRED BY THE TOPIC "REHSE AND NAZI-JUSTICE" THE ACCUSED KLOEPPER ASKED FOR PERMISSION TO SPEAK. CALLING THE MEMBERS OF THE COURT "FASCISTS" HE DEMANDED THE AUDIENCE TO STAND UP IN COMMEMORATION OF THE VICTIMS OF INTERNATIONAL FASCISM. APPROXIMATELY 50 PERSONS, MOSTLY JUVENILES, FOLLOWED HIS REQUEST, WHEREUPON THE PRESIDING JUDGE HAD THE COURT ROOM VACATED.

3. THE THIRD MOTION WAS FILED BY THE DEFENSE COUNSEL FOR TILL MEYER WHO REQUESTED THAT SESSIONS BE LIMITED TO THREE HOURS PER DAY. HE ARGUED THAT HIS CLIENT OWING TO HIS CONFINEMENT OF THREE YEARS IN ISOLATION WAS NOT PHYSICALLY ABLE TO STAND LONGER SESSIONS. FEDERAL PROSECUTOR VOELZ COUNTERED BY CALLING THIS PROPAGANDA. THE ACCUSED REINDERS DEMANDED CLARIFICATION OF THE QUESTION WHETHER GERMAN OR ALLIED AGENCIES MONITORED CONVERSATIONS BETWEEN THE ACCUSED AND THEIR COUNSELS IN THE VISITORS' ROOM. THE COURT POSTPONED DECISION ON THE LAST TWO MOTIONS.

4. TRIAL WAS ADJOURNED TO 17 MAY.

5. COMMENT: THE BERLIN PRESS HAS COMMENTED THAT THESE  
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PROCEDURAL QUESTIONS AND MOTIONS ARE INTENDED BY THE DEFENSE AS A KIND OF "EMERGENCY BRAKE" TO PREVENT EVEN THE SLIGHTEST PROGRESS IN THE TRIAL. SO FAR THE BRAKE HAS WORKED WELL.DAVIS

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## Message Attributes

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Sheryl P. Walter  
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